

# Alcohol Policy Development for Retailers (Checklist & Sample Policy)

The Alcoholic Beverage Law Enforcement Commission (ABLE) requires any new licensee in the State of Oklahoma serving alcohol in any capacity to complete a certified training program as part of the licensure process. ABLE defines certain areas of knowledge that must be understood in order for a person to serve alcohol responsibly. The following checklist identifies those areas of knowledge:

## **Required Areas of Knowledge for Alcohol Servers**

- ☐ **Oklahoma law concerning underage sales and sales to intoxicated persons**
  - It is unlawful to furnish alcohol to a person under the age of 21 or an intoxicated person
- ☐ **Legal penalties for illegal sales to minors and intoxicated persons**
  - Any person who shall knowingly sell, furnish or give alcoholic beverage to a person under twenty-one (21) years of age or a person who is intoxicated shall be guilty of a misdemeanor for a first violation, and if convicted shall be fined not more \$500, and/or imprisoned in county jail for not more than 1 year. A second violation shall be a felony, a fine between \$2,500 and \$5,000, and/or imprisonment in the State Penitentiary for not more than 5 years. The ABLE Commission shall revoke the license of any person convicted of a violation of this section. (Title 37-538 Penalties – Sec. E, Sub. 2 F-G)
- ☐ **Recognizing fake identification cards**
  - F.L.A.G – Feel. Look. Ask. Give Back.
- ☐ **Recognizing signs of an intoxicated person**
- ☐ **Rights of an establishment to refuse service**
  - Sellers of alcohol have the right to refuse service to anyone except for reasons based on age, race, color, gender, national origin, or religion.
- ☐ **Dram shop laws and liability**
  - A dram shop is any business that sells alcohol, and the laws and liability state that no dram shop can sell alcohol to a person who is intoxicated or under the age of 21. If they do so, they may be held liable for any consequences.
- ☐ **Legal hours of operation**
  - No alcoholic beverages may be sold, dispensed, served or consumed for restaurants/bars between 2:00 a.m. and 8:00 a.m.
    - Penalty is up to 20 day license suspension and up to \$1,000 fine
  - No alcoholic beverages may be sold for convenience stores between 2:00 a.m. and 6:00 a.m. No alcoholic beverages may be sold for retail package stores between 12:00 a.m. and 8:00 a.m. and no sales on Sunday unless approved by county vote.
    - Penalty: First Offense- Misdemeanor, Second offense-Felony, up to \$1,000 fine.
- ☐ **Sales and consumption after hours**
  - It is illegal to allow the sale or consumption of alcohol during the above listed hours.
- ☐ **Prohibition against employees drinking on duty**
  - Employees are not allowed to consume alcohol while on duty.
- ☐ **Methods for eliciting information from patrons with questionable identification**
  - Develop procedures to ensure ID is accurate and valid.
- ☐ **Strategies on how to refuse service when necessary**
  - R.E.F.U.S.E. – Recognize the need to check for an ID; Eliminate the alcohol from sight; Firm, yet polite; Unite; Shift your attention to the next customer; Enter the occurrence in your establishment's incident log if applicable.

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## Sample Alcohol Policy for a Bar or Restaurant

### Responsible Alcohol Service

(Insert establishment name here) provides alcoholic beverages to our Guests, which enhances their dining experience with us. We care about our Guests, especially when it comes to their safety—we want them to come back again to enjoy (establishment name). Everyone at (establishment name) must work together to ensure our guests are not overserved.

#### **We ask that you:**

- ❖ Be 18 years of age to serve alcohol...be 21 years of age to dispense it.
- ❖ If you are not 21, please stay out of the bar and other age-restricted areas.
- ❖ Apply for and obtain a liquor license from ABLE. You must complete the required Responsible Beverage Service and Sales (RBSS) training within 14 days after application. The certificate of completion for the training must be turned in to (establishment name)'s management.
- ❖ Maintain a high level of awareness about Guests in order to prevent drinking to excess.
- ❖ Bring all potential alcohol related problems to management's attention immediately.
- ❖ ID everyone that you serve...YES EVERYONE!! Cover yourself and (establishment name) so neither of us will have to pay a hefty fine.
- ❖ Never knowingly serve to a minor. YOUR EMPLOYMENT MAY BE TERMINATED ON THE SPOT.
- ❖ Everyone who appears under the age of 30 is required to present a valid photo ID to verify their age is at least 21. If you are in doubt about the authenticity of a Guest's ID (it could be fake), then bring it to a manager's attention.
- ❖ Acceptable forms of ID are a valid: Military ID, State ID, Driver's License, and Passport.
- ❖ Never knowingly serve a Guest that is visibly intoxicated. It is a violation of state law to do so and you run the risk of fines and/or jail time.

#### **In return, (establishment name) commits to:**

- ❖ Personally handling "any and all" liquor related problems with our Guests.
- ❖ Responsible alcohol service at all times.
- ❖ Taking actions that help reduce drunk driving (i.e., call a Guest a cab, etc.).

### Alcohol Awareness

(Establishment name) expects its team members to be aware of our policies towards alcohol beverage service, as well as the local, state and federal laws that are applicable in this area. We also ask that you keep a watchful eye out for signs of intoxication in our Guests, for their safety and ours.

### Common Signs of Intoxication

- ❖ Loud talking, uncontrollable laughter, or yelling
- ❖ Vulgar language and/or inappropriate gestures
- ❖ Slurred speech, difficulty walking, poor coordination or slowed reflexes
- ❖ Moodiness, aggressive or belligerent behavior
- ❖ Vomiting/illness

Keep in mind that alcohol affects everyone differently. Changes in behavior and mood are a good general idea of what to look for in the bar. Tell management **immediately** about any potential problems.